

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

Am

Mailed: July 19, 2014

Cancellation No. 92053854

Serine-Cannonau Vineyard, Inc. dba
Terry Hoage Vineyards

v.

Viña Undurraga S.A.

Tyrone Craven, Lead Paralegal Specialist:

The Board notes petitioner's consented motion, filed June 24, 2014 to further extend discovery and trial dates. The Board also notes that this proceeding has been pending for over three years.

In petitioner's consented motion the parties sought yet another extension for an additional 90 days on the basis that the parties were negotiating settlement. Petitioner has provided the Board with an updated report of the parties' settlement discussions as previously required. The Board notes that said report sets forth no new progress having been given in connection with the parties' settlement negotiations. Therefore, given that the parties were ordered to provide a *detailed* report in connection with their settlement negotiations, the motion sets forth no new basis whatsoever for

granting the motion. In view thereof, petitioner's consented motion filed on June 24, 2014, is denied.

Requirements for Additional Suspension or Extension of Time

Additionally, should the parties seek another extension of the trial schedule in these proceedings, or seek to suspend the proceedings for settlement negotiations, the parties are *required* to contact the assigned Interlocutory Attorney¹ to schedule an *inter partes* conference regarding the status of the settlement negotiations. Further, any future motion to suspend this proceeding for settlement negotiations or to extend the trial schedule for that reason must include a showing of good cause. To clarify, such showing must comprise a **detailed** status report regarding the progress of the parties' settlement negotiations, including when the last settlement proposal was sent, by whom, and when a response is expected, a recitation of the issues that have been resolved since the commencement of this proceeding, a list of issues that remain to be resolved, and a realistic timetable for resolution. Absent such a report, any further motion to extend time or to suspend these proceedings may not be approved, even though agreed to by the parties.

¹ The Interlocutory Attorney may be contacted at the following telephone number or email address: 571-272-3424; wendy.cohen@uspto.gov.